

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

TAMYKA WEEKS	:	CIVIL ACTION
	:	
v.	:	
	:	
LEEWARD ISLANDS APOTHECARIES	:	NO. 09-0050
D/B/A MEDICINE SHOPPE, et al	:	

ORDER

AND NOW, this 9th day of February, 2011, upon consideration of the Motion to Dismiss Plaintiff's First Amended Complaint (Document No. 12), the defendants' response, the plaintiff's reply, and the First Amended Complaint, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. Counts I, II and IV are **DISMISSED** as to the defendants Troy A. de Chabert-Schuster, Gregory L. Schuster, and Lowell O. Schuster only;
2. Count III of the First Amended Complaint is **DISMISSED** as to all defendants;
3. Plaintiff is granted leave to amend her First Amended Complaint solely with respect to Count III.
4. If the plaintiff elects to amend Count III of her First Amended Complaint, she must do so no later than **February 22, 2011**.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.